

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3-7 and 11-14 are pending in the application, with claim 1 being the only independent claim. Claims 2 and 8-10 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. New claim 14 is sought to be added. Claims 1, 3-6 and 11 have been amended herein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objections to the Drawings

The drawings have been objected to as not showing every features of the invention specified in the claims. In particular, the Examiner could not find the "dispensing container" and the "applicator" as called for in claim 1. The "dispensing container" called for in claim 1 is meant to refer to the sachet 14 as described in the specification and shown in Figure 1. Further, the "applicator" as called for in claim 1 is meant to refer to the gauze flaps 18A and 18B as described in the specification and clearly shown in Figure 1. For the purposes of clarification of these features of the present invention, Applicants have amended paragraph 3 on page 5 to more clearly

identify these features. Applicants believe this amendment is for clarification only and does not insert any new matter into this application. Therefore, Applicants respectfully request the withdrawal of this objection.

Further, the Examiner was unable to find the "outer sealed container" as called for in claim 11. The "outer sealed container" is meant to refer to the cover strip 12 and the peelable backing strip 20 both of which are described in the specification and clearly shown in Figure 1. Applicants have amended paragraph 2 on page 6 to more clearly identify the "outer sealed container" encompassed in the present invention. Applicants believe this amendment is for clarification only and does not insert any new matter into this application. Therefore, Applicants respectfully request the withdrawal of this objection.

The Examiner also objects to the drawings because reference sign 26B was not found in the drawings. Applicants enclose herewith under a separate Request a replacement Figure 1, wherein feature 26B was incorrectly labeled as 26A. Applicants respectfully request the acceptance of the replacement drawing of Figure 1 and the withdrawal of this objection.

The Examiner also objects to Figure 5 because the exploded view presented therein was not properly bracketed. Applicants enclose herewith under a separate Request a replacement Figure 5 including the proper brackets. Therefore, Applicants respectfully request the withdrawal of the objection of Figure 5.

Objection to the Abstract

The Examiner has objected to the specification because it does not contain an abstract. However, an abstract was submitted on the cover page of International Application No. WO 00/54755, filed on September 14, 2001. Nonetheless, the identical abstract is attached hereto on a separate sheet of paper numbered as page 15 as requested by the Examiner. Application therefore respectfully request the withdrawal of the objection to the Abstract.

Objection to the Specification

The Examiner objected to the Specification as containing inconsistent terminology throughout the invention summary and the detailed description. Applicants have amended paragraphs 3 and 4 on page 2 in order to correct such inconsistency. Therefore, Applicants respectfully request the withdrawal of this objection to the specification.

The Examiner further objected to the term "adhesive" in claim 1, line 1 (second occurrence) and in claim 11, line 2. The Examiner recommended the deletion of this term as used in claims 1 and 11. Applicants have amended claims 1 and 11 to reflect the Examiner's recommendation. Further, Applicants have amended paragraph 1 on page 4 of the specification for consistency throughout the claims and the specification. Therefore, Applicants respectfully request the withdrawal of this objection to the claims.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-13 under 35 U.S.C. § 112, first paragraph, as not being described in the specification so as to enable one skilled in the art to make and/or use the invention. In particular, the Examiner rejects the use of the terms "dispensing container" and "applicator" of claim 1 and "outer sealed container" of claim 11. As discussed above with respect to the Examiner's objections to the drawings, the "dispensing container" called for in claim 1 is meant to refer to the sachet 14 as described in the specification and shown in Figure 1. Further, the "applicator" as called for in claim 1 is meant to refer to the gauze flaps 18A and 18B as described in the specification and clearly shown in Figure 1. For the purposes of clarification of these features of the present invention, Applicant has amended paragraph 3 on page 5 and paragraph 2 on page 6 to more clearly identify these features and to make the terminology consistent throughout the specification and claims. Further, the "outer sealed container" is meant to refer to the cover strip 12 and the peelable backing strip 20 both of which are described in the specification and clearly shown in Figure 1. Applicants have amended paragraph 2 on page 6 to more clearly identify the "outer sealed container" encompassed in the present invention and to make the terminology consistent throughout the specification and claims. Applicants believe these amendment are for clarification only and do not insert any new matter into this application. Therefore, Applicants respectfully request the withdrawal of this 35 U.S.C. § 112, first paragraph rejection.

The Examiner rejects claims 5 and 6 and not enabling the use of a removable sealing strip to be used regardless of whether the release agent includes at least one

aperture or rupturable zone. Applicants have amended claim 5 herein to delete the phrase "or rupturable zone." Applicants have also added claim 14 to claim the use of rupturable zones instead of apertures. Applicants believe that this amendment to claim 5 and the addition of claim 14 properly render the Examiner's rejection moot. Therefore, Applicants respectfully request the removal of this 35 U.S.C. § 112, first paragraph rejection.

Claims 1-13 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, the Examiner indicates that the term "the applicator means" of claim 1, the term "the backing means" of claim 3, the terms "the peelable backing means" and "the backing means" of claim 4 and the term "the non-adhering zones" of claim 6 each lack an antecedent basis. Claims 1, 3, 4 and 6 have been amended herein. It is believed that with these amendments, all terms have a proper antecedent basis. . Therefore, Applicants respectfully request the withdrawal of this 25 U.S.C. § 112, second paragraph rejection.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1-6 and 11-13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,192,299 to Sabatano [hereinafter "the Sabatano patent"]. Applicants have amended claim 1 to include the feature that the present invention comprises a dispensing container located fully between the adhesive surface and the peelable backing. The Sabatano patent, however, only discloses a container 14 which is not fully enclosed between the plastic tape 11 and cover 12. Therefore,

Applicants submit that the Sabatano patent does not address all of the features required by amended claim 1. Further, in the present invention, the dispensing container is arranged between the patch and the applicator. Therefore, only a small initial amount of ointment is released when the adhesive dispensing arrangement is applied to an affected area. Further dispensing occurs by applying a slight pressure with a finger to the dispensing arrangement. This feature is completely absent in the Sabatano reference. Instead, the gauze pad 13 is located between the envelope 14 and the plastic tape 11. The envelope 14 is ". . . peeled off and discarded" (column 2, lines 36 - 40) in order to apply the bandage 10. Consequently, Applicants respectfully request the withdrawal of this 35 U.S.C. § 102(b) rejection.

Claims 1 and 8-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by European Publication No. EP 734,722 to Yamaguchi, *et al.* [hereinafter "the Yamaguchi reference"]. Applicants have amended claim 1 to provide that the dispensing container is a discrete component. The Yamaguchi reference, however, only discloses a hollow area for holding and preserving a drug. See column 3, lines 50 and 51 of the Yamaguchi reference. The advantages in having a discrete container are set out on page 10, paragraph 4 and page 11, paragraph 2 of Applicant's specification. Applicants submit that the Yamaguchi reference does not disclose each and every feature of amended claim 1. Therefore, Applicants respectfully request the withdrawal of this 25 U.S.C. § 102(b) rejection.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claim 7 as being obvious over the Sabatano patent in view of the Yamaguchi reference. Applicants submit that the amendments made to claim 1 render this rejection moot for the reasons stated above with respect to the Examiner's § 102(b) rejections. It would not have been obvious to combine the disclosures of the Sabatano patent and the Yamaguchi reference to obtain claim 7, which incorporates all of the features of amended claim 1. Applicants therefore respectfully request the withdrawal of this 35 U.S.C. § 103 rejection.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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Version with markings to show changes made

In the Specification:

The following paragraphs were substituted for the pending paragraphs.

- The first full paragraph on page 2, located after the subtitle "Summary of the Invention," was substituted as shown in the following paragraph:

According to the invention there is provided an adhesive dispensing arrangement comprising a [an adhesive] patch for covering an area to be treated, and provided with an adhesive surface for allowing the patch to stick to the area, a peelable backing covering the adhesive surface, a discrete dispensing container [sandwiched] located fully between the adhesive surface and peelable backing, and [housing] accommodating a substance to be dispensed over the area to be treated, an applicator arranged [to facilitate the application of the substance over the area to be treated,] between the patch and the dispensing container and a release agent, the dispensing container being positioned to cooperate with the release agent [which is] and the release agent being arranged to cause the container to open or rupture on removal of the backing [for releasing the substance and allowing it to be dispensed over the area to be treated via the applicator means] such that the substance is released from the opened or ruptured container onto the applicator which facilitates application of the substance to the area to be treated when the patch is stuck to that area.

- The second full paragraph on page 2 was deleted.

- The third full paragraph on page 2 was substituted as shown in the following paragraph.

Preferably, the applicator [means] includes at least one absorbent pad secured to the patch along at least one marginal adhering zone, with a non-adhering zone of the pad being interposed between the dispensing container and the peelable backing [means] for receiving the substance to be dispensed from the container after it has ruptured.

- The fourth full paragraph on page 2 was substituted as shown in the following paragraph.

Conveniently, the release agent is adhesively secured to the peelable backing [means], whereby the release agent is arranged to be simultaneously peeled away with the peelable backing [means] to rupture or broach the container.

- The first full paragraph on page 4 was substituted as shown in the following paragraph.

Advantageously, the [adhesive] patch and the peelable backing define an outer sealed container within which the dispensing container is housed.

- The third full paragraph on page 5, located after the subtitle "Description of Embodiments," was substituted as shown in the following paragraph.

The adhesive dispensing arrangement 10 illustrated in Figures 1 and 2 has as its main components a flexible cover strip or patch 12, a dispensing container in the form of a sachet 14, a sachet sealing strip 16, an applicator provided by a pair of parallel gauze flaps 18A and 18B, and a peelable backing strip 20. The cover strip 12 has an inner adhesive surface 22 which is uniformly tacky, apart from non-tacky corner zones defining finger-grippable tags 23. The sachet 14 is adhesively mounted to a central rectangular zone or footprint 24 of the tacky surface 22. Marginal rectangular zones 26A and 26B extend on either side of the central zone 24, and provide adhesive purchase for corresponding outer marginal zones 28A and 28B of the respective gauze flaps 18A and 18B. The inner marginal zones 28C of the gauze flaps do not adhere to the adhesive surface 22, but rather overlie the sachet and its sealing strip, as is clearly shown in Figure 2.

- The first full paragraph on page 6 was substituted as shown in the following paragraph.

The top side of the central sealing segment 16A, on which the inner marginal zones 28C of the flaps rest, is non-adhering. The entire underside of the peelable backing strip 20 is mildly adhering, to the extent that a continuous outer peripheral seal is provided between the cover strip 12 and the peelable backing strip 20, so that the intermediate sachet 14, sachet sealing strip 16 and gauze strips 18A and 18B are protected against the ingress of

dirt and other contaminants, as well as the possible ingress of moisture. Likewise, the outer peripheral seal prevents the egress of the aforementioned sandwiched components or their constituents. It will therefore be understood that the cover strip 12 and the peelable backing strip 20 define an outer sealed container in which the sachet 14, the sealing strip 16 and the gauze strips 18A and 18B are housed. The undersides of the intermediate segments 16B adhere mildly to the adhesive surface 22, whilst the top sides of the intermediate and/or outer segments 16B and 16C are arranged to adhere relatively strongly to the peelable backing strip 20. To this end, the outer segments 16C may be folded over to the top side of the peelable backing strip in the manner illustrated in Figure 4 to obtain additional purchase. In summary, the combined adhesion of the sachet sealing strip 16 to the peelable backing strip is greater than the combined adhesion of the sealing strip 16 both to the cover strip 12 and to the exposable surface 32 of the sachet.

In the Claims:

Claims 2 and 8-10 were canceled without prejudice or disclaimer.

The following claims 1, 3-6, 11 were substituted for the pending claim x as follows:

1. (once amended) An adhesive dispensing arrangement comprising [an adhesive] a patch for covering an area to be treated, and provided with an adhesive surface for allowing the patch to stick to the area, a peelable backing covering the adhesive surface,

a discrete dispensing container [sandwiched] located fully between the adhesive surface and peelable backing, and [housing] accommodating a substance to be dispensed over the area to be treated, an applicator arranged between the patch and the dispensing container [to facilitate the application of the substance over the area to be treated,] and a release agent, the dispensing container being positioned to cooperate with the release agent and the release agent being [which] arranged to cause the container to open or rupture on removal of the backing such that the substance is released from the opened or ruptured container onto the applicator which facilitates application of the substance to the area to be treated when the patch is stuck to that area [for releasing the substance and allowing it to be dispensed over the area to be treated via the applicator means].

3. (twice amended) An adhesive dispensing arrangement according to claim 1 in which the applicator [means] includes at least one absorbent pad secured to the patch along at least one marginal adhering zone, with a non-adhering zone of the pad being interposed between the dispensing container and the peelable backing [means] for receiving the substance to be dispensed from the container after it has ruptured.

4. (once amended) An adhesive dispensing arrangement according to claim 3, in which the release agent is adhesively secured to the peelable backing [means], whereby the release agent is arranged to be simultaneously peeled away with the peelable backing [means] to rupture or broach the container.

5. (once amended) An adhesive dispensing arrangement according to claim 4 in which the release agent comprises at least one aperture [or rupturable] zone defined in the container, and a removable sealing strip for sealing off the aperture, the sealing strip being arranged to expose the aperture on removal thereof.

6. (once amended) An adhesive dispensing arrangement according to claim 5 in which the sealing strip extends between the container and [the] non-adhering zones of the pad, whereby the pad is arranged temporarily to splay outwardly to allow the sealing strip to exit as it is peeled away from the container.

11. (twice amended) An adhesive dispensing arrangement according to claim 1 in which the [adhesive] patch and the peelable backing define an outer sealed container within which the dispensing container is housed.

Claim 14 was added.